

#28  
10/25/02

## RESPONSE UNDER

37 CFR 1.116

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EXPEDITED PROCEDURE  
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EXAMINING GROUP

Docket No.: (C10690/101683)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Berend HOUWEN, *et al.*

Serial No.: 09/058,323

Filed: April 9, 1998

For: **PROCESS FOR DISCRIMINATING  
AND COUNTING ERYTHROBLASTS**

)

) Examiner: Gailene R. Gabel

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) Art Unit: 1641

)

New York, New York  
July 2, 2002**NOTICE OF APPEAL UNDER 37 C.F.R. § 1.191 FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**To: **BOX: AF**Commissioner for Patents  
Washington, D.C. 20231

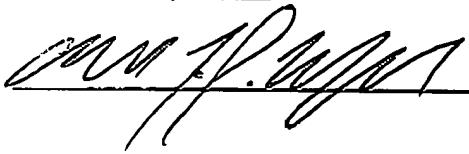
Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the April 2, 2002 decision of the Primary Examiner finally rejecting claims 1-3 and 5-9. The Final Action set a shortened three-month statutory time period for response; as such a response must be filed on or before July 2, 2002. Therefore, this Notice of Appeal is timely filed. It is

believed that no additional fees for extension of time are due, however, if any additional fees are required, the Commissioner is authorized to charge (or credit any overpayment) to Deposit Account No. 02-4467.

A check in the amount of \$320 for the Appeal Fee is enclosed. If our check is missing or otherwise insufficient, or if any additional fees are required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid by check, the Commissioner is authorized to charge (or credit any overpayment) to Deposit Account No. 02-4467.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231, on July 2, 2002.



Respectfully submitted,

By:

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